



RECEIVED
MAY 31 2001
6-12-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CENTER 1600/2900

Applicant: HADLACZKY *et al.*

Serial No. 09/724,693

Confirmation No.: 7857

Filed: November 28, 2000

For: **ARTIFICIAL CHROMOSOMES,
USES THEREOF AND METHODS
FOR PREPARING ARTIFICIAL
CHROMOSOMES**

Art Unit: 1632

Examiner: Unassigned

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
Washington, D.C. 20231, on this date.

05/25/01
Date

Kelly M. Fischer
Kelly M. Fischer

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is a Preliminary Amendment with an attachment of marked up paragraphs and a Change of Address Form for filing in connection with the above-identified application. Because this Preliminary Amendment is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 50-1213, as stated below:

The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By: Stephanie L. Seidman

Stephanie L. Seidman
Registration No. 33,779

Attorney Docket No. 24601-402G

Address all correspondence to:

Stephanie L. Seidman, Esq.

HELLER, EHRMAN, WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, Suite 600

San Diego, CA 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

EMAIL: sseidman@hewm.com



RECEIVED
MAY 31 2001
K
6-12-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HADLACZKY *et al.*

Serial No. 09/724,693

Confirmation No.: 7857

Filed: November 28, 2000

For: *ARTIFICIAL CHROMOSOMES, USES
THEREOF AND METHODS FOR
PREPARING ARTIFICIAL
CHROMOSOMES*

Art Unit: 1632

Examiner: Unassigned

I hereby certify that this paper and the attached
papers are being deposited with the United States
Postal Service as first class mail in an envelope
addressed to:

Commissioner for Patents
Washington, D.C. 20231, on this date.

05/25/01

Date

Kelly M. Fischer
Kelly M. Fischer

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Preliminary to examination of the above-captioned patent application,
please amend the application as follows:

IN THE SPECIFICATION:

Please amend the specification as follows (a marked up copy of the
amended specification is attached to this Amendment):

Please replace the paragraphs on page 19, lines 3-14, with the following:

As used herein, a SATAC refers to a chromosome that is substantially all heterochromatin, except for portions of heterologous DNA. Typically, SATACs are satellite DNA based artificial chromosomes, but the term encompasses any chromosome made by the methods herein that contains more heterochromatin than euchromatin.

As used herein, amplifiable, when used in reference to a chromosome, particularly the method of generating SATACs provided herein, refers to a region of a chromosome that is prone to amplification. Amplification typically occurs during replication and other cellular events involving recombination. Such regions are typically regions of the chromosome that include tandem repeats, such as satellite DNA, rDNA and other such sequences.